

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

UNITED STATES OF AMERICA §  
§  
V. § No. 1:08-CR-80  
§  
JOHN JOSEPH GIVS §

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Before the court is a report and recommendation of the United States magistrate judge regarding defendant's competency for trial.

Having conducted an independent review, the court concludes that the defendant is competent to stand trial because he is able to understand the nature and consequences of the proceeding against him, and able to assist his attorney in his defense. It is therefore

**ORDERED** the report and recommendation of the United States magistrate judge on defendant's competency to stand trial is **ADOPTED**. It is further

**ORDERED** that defendant John Joseph Givs is competent to stand trial.

So **ORDERED** and **SIGNED** this **18** day of **June, 2009**.

*Ron Clark*  
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Ron Clark, United States District Judge